



# California Regulatory Notice Register

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The *California Regulatory Notice Register* is an official state publication of the Office of Administrative Law containing notices of proposed regulatory actions by state regulatory agencies to adopt, amend or repeal regulations contained in the California Code of Regulations. The effective period of a notice of proposed regulatory action by a state agency in the *California Regulatory Notice Register* shall not exceed one year [Government Code § 11346.4(b)]. It is suggested, therefore, that issues of the *California Regulatory Notice Register* be retained for a minimum of 18 months.

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## PROPOSED ACTION ON REGULATIONS

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### TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission, pursuant to the authority vested in it by Sections 82011, 87303, and 87304 of the Government Code to review proposed conflict of interest codes, will review the proposed/amended conflict of interest code of the following:

#### CONFLICT OF INTEREST CODE

##### AMENDMENT

STATE: Department of Resources, Recycling, and Recovery

A written comment period has been established commencing on **October 21, 2011** and closing on **December 5, 2011**. Written comments should be directed to the Fair Political Practices Commission, Attention Alexandra Castillo, 428 J Street, Suite 620, Sacramento, California 95814.

At the end of the 45-day comment period, the proposed conflict of interest code(s) will be submitted to the Commission's Executive Director for his review, unless any interested person or his or her duly authorized representative requests, no later than 15 days prior to the close of the written comment period, a public hearing before the full Commission. If a public hearing is requested, the proposed code(s) will be submitted to the Commission for review.

The Executive Director of the Commission will review the above-referenced conflict of interest code(s), proposed pursuant to Government Code Section 87300, which designate, pursuant to Government Code Section 87302, employees who must disclose certain investments, interests in real property and income.

The Executive Director of the Commission, upon his or its own motion or at the request of any interested person, will approve, or revise and approve, or return the proposed code(s) to the agency for revision and re-submission within 60 days without further notice.

Any interested person may present statements, arguments or comments, in writing to the Executive Direc-

tor of the Commission, relative to review of the proposed conflict of interest code(s). Any written comments must be received no later than **December 5, 2011**. If a public hearing is to be held, oral comments may be presented to the Commission at the hearing.

#### COST TO LOCAL AGENCIES

There shall be no reimbursement for any new or increased costs to local government which may result from compliance with these codes because these are not new programs mandated on local agencies by the codes since the requirements described herein were mandated by the Political Reform Act of 1974. Therefore, they are not "costs mandated by the state" as defined in Government Code Section 17514.

#### EFFECT ON HOUSING COSTS AND BUSINESSES

Compliance with the codes has no potential effect on housing costs or on private persons, businesses or small businesses.

#### AUTHORITY

Government Code Sections 82011, 87303 and 87304 provide that the Fair Political Practices Commission as the code reviewing body for the above conflict of interest codes shall approve codes as submitted, revise the proposed code and approve it as revised, or return the proposed code for revision and re-submission.

#### REFERENCE

Government Code Sections 87300 and 87306 provide that agencies shall adopt and promulgate conflict of interest codes pursuant to the Political Reform Act and amend their codes when change is necessitated by changed circumstances.

#### CONTACT

Any inquiries concerning the proposed conflict of interest code(s) should be made to Alexandra Castillo, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

#### AVAILABILITY OF PROPOSED CONFLICT OF INTEREST CODES

Copies of the proposed conflict of interest codes may be obtained from the Commission offices or the respective agency. Requests for copies from the Commission should be made to Alexandra Castillo, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

### TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE

#### Notice of Proposed Rulemaking

##### 45-Day Notice

The Department of Food and Agriculture amended subsection 3591.2(a) of the regulations in Title 3 of the California Code of Regulations pertaining to Oriental Fruit Fly Eradication Area as an emergency action that was effective on September 15, 2011. The Department proposes to continue the regulation as amended and to complete the amendment process by submission of a Certificate of Compliance no later than March 13, 2012.

This notice is being provided to be in compliance with Government Code Section 11346.4.

#### PUBLIC HEARING

A public hearing is not scheduled. A public hearing will be held if any interested person, or his or her duly authorized representative, submits a written request for a public hearing to the Department no later than 15 days prior to the close of the written comment period.

#### WRITTEN COMMENT PERIOD

Any interested person or his or her authorized representative may submit written comments relevant to the proposed amendment to the Department. Comments may be submitted by mail, facsimile (FAX) at 916.654.1018 or by email to [lrains@cdfa.ca.gov](mailto:lrains@cdfa.ca.gov). The written comment period closes at 5:00 p.m. on December 5, 2011. The Department will consider only comments received at the Department offices by that time. Submit comments to:

Lindsay Rains  
Department of Food and Agriculture  
Plant Health and Pest Prevention Services  
1220 N Street  
Sacramento, CA 95814  
[lrains@cdfa.ca.gov](mailto:lrains@cdfa.ca.gov)  
916.654.1017  
916.654.1018 (FAX)

Following the public hearing if one is requested, or following the written comment period if no public hearing is requested, the Department of Food and Agriculture, at its own motion, or at the instance of any interested person, may adopt the proposal substantially as set forth without further notice.

#### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Existing law provides that the Secretary is obligated to investigate the existence of any pest that is not gener-

ally distributed within this State and determine the probability of its spread, and the feasibility of its control or eradication (Food and Agricultural Code Section 5321).

Existing law also provides that the Secretary may establish, maintain and enforce quarantine, eradication and other such regulations as he deems necessary to protect the agricultural industry from the introduction and spread of pests (Food and Agricultural Code, Sections 401, 403, 407 and 5322). Existing law also provides that eradication regulations may proclaim any portion of the State as an eradication area and set forth the boundaries, the pest, its hosts and the methods to be used to eradicate said pest (Food and Agricultural Code Section 5761).

The amendment of subsection 3591.2(a) established San Joaquin County as an eradication area for the melon fruit fly, *Bactrocera dorsalis*. The effect of this action was to establish authority for the State to conduct eradication activities in San Joaquin County against this pest. There is no existing, comparable federal regulation or statute.

#### DISCLOSURES REGARDING THE PROPOSED ACTION

*The Department has made the following initial determinations:*

Mandate on local agencies and school districts: None.  
Cost or savings to any state agency: None.

Cost to any local agency or school district which must be reimbursed in accordance with Government Code sections 17500 through 17630: None and no other non-discretionary costs or savings to local agencies or school districts.

Cost or savings in federal funding to the state: None.

Significant, statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states: None.

Cost impacts on a representative private person or business: The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Amendment of these regulations will not:

- (1) Create or eliminate jobs within California;
- (2) Create new businesses or eliminate existing businesses within California; or
- (3) Affect the expansion of businesses currently doing business within California.

Significant effect on housing costs: None.

### *Small Business Determination*

The Department has determined that the proposed regulations may affect small business.

### ALTERNATIVES CONSIDERED

The Department of Food and Agriculture must determine that no reasonable alternative considered by the Department or that has otherwise been identified and brought to the attention of the Department would be more effective in carrying out the purpose for which the actions are proposed or would be as effective and less burdensome to affected private persons than the proposed actions.

### AUTHORITY

The Department proposes to amend subsections 3591.2(a) pursuant to the authority vested by Sections 407 and 5322 of the Food and Agricultural Code.

### REFERENCE

The Department proposes to amend subsection 3591.2(a), to implement, interpret and make specific Sections 407, 5322, 5761, 5762 and 5763 of the Food and Agricultural Code.

### CONTACT

The agency officer to whom written comments and inquiries about the initial statement of reasons, proposed actions, location of the rulemaking files, and request for a public hearing may be directed to is: Lindsay Rains, Department of Food and Agriculture, Plant Health and Pest Prevention Services, 1220 N Street, Room 210, Sacramento, California 95814, (916) 654-1017, FAX (916) 654-1018, E-mail: sbrown@cdfa.ca.gov. In her absence, you may contact Stephen Brown at (916) 654-1017.

### INTERNET ACCESS

The Department has posted the information regarding this proposed regulatory action on its Internet Web site (<http://www.cdfa.ca.gov/plant/Regulations.html>).

### AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Department of Food and Agriculture has prepared an initial statement of reasons for the proposed actions, has available all the information upon which its proposal is based, and has available the express terms of the proposed action. A copy of the initial statement of reasons and the proposed regulations in underline and strikeout form may be obtained upon request. The loca-

tion of the information on which the proposal is based may also be obtained upon request. In addition, when completed, the final statement of reasons will be available upon request. Requests should be directed to the contact named herein.

If the regulations adopted by the Department differ from, but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency officer (contact) named herein.

## TITLE 16. BOARD OF OPTOMETRY

**NOTICE IS HEREBY GIVEN** that the Board of Optometry (hereafter "Board") is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments in writing relevant to the action proposed. Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice must be received by the Board at its office not later than 5:00 p.m. on December 6, 2011 or must be received by the Board at the hearing.

A hearing in this matter has been scheduled for December 6, 2011 starting at 10:00 a.m., in the Yosemite Room, at 2420 Del Paso Road, Sacramento, California 95834. All interested parties will be heard at that time.

The Board, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text with the exception of technical or grammatical changes. The full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as Contact Person and will be mailed to those persons who submit written testimony related to this proposal or who have requested notification of any changes to the proposal.

**Authority and Reference:** Pursuant to the authority vested by Sections 3025 and 3090 of the Business and Professions Code (BPC), and Sections 11400.20 of the Government Code; and to implement, interpret or make specific Sections 315, 315.2, 315.4, 480, 3090, 3091 and 3110 of said Code, and Sections 11400.20 and 11425.50(e) of the Government Code, the Board is considering changes to Division 15 of Title 16 of the California Code of Regulations (CCR) as follows:

### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Amend Title 16, CCR section 1575.

BPC section 3025 authorizes the Board to promulgate rules and regulations governing procedures of the Board and the practice of optometry. BPC section 3010.1 requires that protection of the public is the high-



est priority for the Board in exercising its licensing, regulatory and disciplinary functions.

Government Code section 11400.20 authorizes an agency, such as this Board, that uses the Administrative Procedure Act (APA) relating to administrative adjudications (Chapter 4 [commencing with section 11370] Part 1 of Title 2 of the Government Code) to adopt regulations to govern an APA adjudicative proceeding.

Under existing law, (Government Code section 11425.50), a penalty proposed by an Administrative Law Judge (ALJ) may not be based on guidelines, manuals, orders, or standards of general application unless it has been adopted as a regulation.

The Optometry Practice Act (BPC 3000 et seq.) provides that proceedings to discipline an optometrist or to deny an applicant for an optometry license are to be conducted in accordance with the APA. The Optometry Practice Act specifies grounds for discipline and sanctions that may be imposed against optometrists that have been determined to have violated the Optometry Practice Act.

Article 3.6 (commencing with section 315) of Chapter 4 of Division 1 of the BPC provided for the establishment of the Substance Abuse Coordination Committee (SACC) in the Department of Consumer Affairs (DCA), whose mandate was to develop uniform and specific standards that a DCA healing arts board must use in dealing with substance-abusing licensees. This section of law also provides for the use of a cease practice order if a licensee tests positive for any substance that is prohibited under the terms of the licensee's probation, if a licensee on probation commits a major violation of his or her probation or when a board orders a licensee to undergo a clinical diagnostic evaluation.

Existing regulations provide that in reaching a decision on a disciplinary action under the APA, the Board shall consider disciplinary guidelines entitled "Disciplinary Guidelines and Model Disciplinary Orders" (DG — 3, 5-99). This regulatory proposal would amend Title 16, CCR section 1575 to reference a revised version of the Board's disciplinary guidelines entitled "Uniform Standards Related to Substance Abuse and Disciplinary Guidelines" (DG — 4, 9-2011), which is hereby incorporated by reference, and require an ALJ to comply with the Uniform Standards Related to Substance Abuse where an applicant or licensee has a substance abuse disorder and consider the disciplinary guidelines for all other disciplinary matters.

The disciplinary guidelines would be revised to update the standard and optional terms of probation in order reflect the current probation environment and increase consumer protection and include the provisions of the Uniform Standards Regarding Substance-Abusing Healing Arts licensees adopted by the DCA's SACC.

## FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.

Non-discretionary Cost/Savings to Local Agencies: None.

Local Mandate: None.

Cost to Any Local Agency or School District for Which Government Code Sections 17500-17630 Require Reimbursement: None.

### Business Impact:

The Board has made an initial determination that the amendment of this regulation may have a significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other States.

The following types of businesses would be affected:

- Businesses owned by licensees of the Board who face disciplinary action.
- Businesses that employ licensees of the Board who face disciplinary action.

A license that has been revoked, suspended, reprimanded or placed on probation may cause a significant fiscal impact on the business where the licensee worked depending on the nature and severity of the violation. A business owned by a licensee who faces disciplinary action may incur a significant fiscal impact depending on the nature and severity of the violation. The Board does not maintain data relating to the number or percentage of licensees who own a business; therefore the number or percentage of businesses that may be impacted cannot be predicted. The Board only has authority to take administrative and disciplinary action against a licensee and not a business.

Accordingly, the initial or ongoing costs for a small business owned by a licensee who is the subject of disciplinary action cannot be projected. Businesses operated by licensees who are in compliance with the law, as well as licensees employed by these businesses who are in compliance with the law, will not incur any fiscal impact.

Probationers are responsible for paying all costs during their probation, including, but not limited to the clinical diagnostic evaluations, biological testing, and facilitated group support meetings. The average salary of a practicing optometrist in California is approximately \$82,000 per year.

The Board enforces probation whenever the actions of an optometrist indicate that the licensee may pose an immediate threat to the public. A licensee could be placed on probation at a minimum of 3 years. The chart below shows estimated probationary costs. Probation costs vary depending on the type of violation committed and terms in the probationary order.

	<b>Monthly Cost</b>	<b>Annual Cost</b>	<b>3 year term</b>	<b>5 year term</b>
Monitoring Fee	\$100	\$1,200	\$3,600	\$6,000
CA Law & Reg Exam		\$23 One Time		
Addt'l CE Courses		\$50–\$2000		
Biological Fluid Test Year 1 = 52–104 Year 2 = 36–104	\$607*	\$7,280*	\$21,840*	\$36,400*
Clinical Diagnostic Evaluation		\$1,000–\$4,000 per evaluation		
License Revocation/ Wages Lost	\$6,833	\$82,000	\$246,000	\$410,000
Group Support Meeting (if payment req'd)	\$50–\$100	varies	varies	varies
Cost Recovery AG \$3,500 + OAH \$750 + Evidence/Witness \$750 **		\$5,000 per case on average		
Counseling Program		Varies \$100–\$2,000		
Mental Health Evaluation		Varies \$100–\$2,000		
Medical Treatment		Varies \$100–\$5,000		
Billing Audit		Varies \$100–\$5,000		
National Boards Exam		Varies \$100–\$500		

\*Assuming the maximum testing amount is used.

\*\* Attorney General (AG); Office of Administrative Hearings (OAH)

Average Biological Fluid Test costs involve a urine analysis at \$45 per test, plus the average collection fee of \$25, for a total average cost of \$70 per urine test. If the 52–104 time per year for the first year, and 36–104 per year for the second year of testing requirements results in a probationer's inability to participate in the testing program, the Board will send the case to the Office of the Attorney General to pursue revocation for the probationer's failure to comply with the Biological Testing terms and conditions. The same applies to all conditions that are violated by the probationer.

The Board anticipates up to four new probationers established each year who will be subject to the new Biological Fluid Testing requirements. The Board anticipates that at least half of the probationers will not be

able to afford the cost of the testing frequency and/or will not comply with the terms of their probation, which will result in the Board's pursuit of revocation of the probationer's license. The Board estimates it will incur an estimated annual cost of \$10,000 for the prosecution and hearing costs associated with the revocation of two probationers.

The following reporting, recordkeeping or other compliance requirements are projected to result from the proposed action: None.

The Board has not considered proposed alternatives that would lessen any adverse economic impact on business and invites you to submit such proposals. Submissions may include the following considerations:

- (A) The establishment of differing compliance or reporting requirements or timetables that take into account the resources available to businesses.
- (B) Consolidation or simplification of compliance and reporting requirements for businesses.
- (C) The use of performance standards rather than prescriptive standards.
- (D) Exemption or partial exemption from the regulatory requirements for businesses.

The rulemaking file includes the facts, evidence, documents, testimony, and/or evidence which supports this determination.

### **AND**

The following studies/relevant data were relied upon in making the above determination: None.

#### **Impact on Jobs/New Businesses:**

The Board has determined that this regulatory proposal would have an impact on the creation of jobs or new businesses, or the elimination of jobs or existing businesses, or the expansion of businesses in the State of California.

A license that has been revoked, suspended, reprimanded or placed on probation may cause a significant fiscal impact on the business where the licensee worked depending on the nature and severity of the violation. A business owned by a licensee who faces disciplinary action may incur a significant fiscal impact depending on the nature and severity of the violation. Licensees who are in compliance with the law will not incur any fiscal impact.

#### **Cost Impact on Representative Private Person or Business:**

The cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action and that are known to Board are: A license that has been revoked, suspended, reprimanded or placed on probation may cause a significant fiscal impact on the business where the licensee worked depending on the nature and severity of the violation. A business owned by a licensee who faces disciplinary action may incur a significant fiscal impact depending on the nature and severity of the violation. The Board does not maintain data relating to the number or percentage of licensees who own a business; therefore the number or percentage of businesses that may be impacted cannot be predicted. The Board only has authority to take administrative and/or disciplinary action against a licensee and not a business. Accordingly, the initial or ongoing costs for a small business owned by a licensee who is the subject of disciplinary action cannot

be projected. Businesses operated by licensees who are in compliance with the law will not incur any fiscal impact.

Effect on Housing Costs: None.

### **EFFECT ON SMALL BUSINESS**

The Board has determined that the proposed regulation may affect small businesses.

A license that has been revoked, suspended, reprimanded or placed on probation may cause a significant fiscal impact on the small business where the licensee works depending on the nature and severity of the violation. A small business owned by a licensee who faces disciplinary action may incur a significant fiscal impact depending on the nature and severity of the violation. The Board does not maintain data relating to the number or percentage of licensees who own a small business; therefore the number or percentage of small businesses that may be impacted cannot be predicted. The Board only has authority to take administrative and/or disciplinary action against a licensee and not a small business. Accordingly, the initial or ongoing costs for a small business owned by a licensee who is the subject of disciplinary action cannot be projected. Small businesses operated by licensees who are in compliance with the law will not incur any fiscal impact.

### **CONSIDERATION OF ALTERNATIVES**

The Board must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed or would be as effective as and less burdensome to affected private persons than the proposal described in this notice.

Any interested person may present written statements relevant to the above determinations to the Board at the address referred to below and the above-mentioned hearing.

### **INITIAL STATEMENT OF REASONS AND INFORMATION**

The Board has prepared an initial statement of the reasons for the proposed action and has available all information upon which the proposal is based. It may be obtained at the hearing or prior to the hearing upon request from the Board at 2450 Del Paso Road, Suite 105, Sacramento, CA, 95834 or on the Board's website at [www.optometry.ca.gov](http://www.optometry.ca.gov).



TEXT OF PROPOSAL

Copies of the exact language of the proposed regulation, and any document incorporated by reference, of the initial statement of reasons, and all information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the Board at 2450 Del Paso Road, Suite 105, Sacramento, CA 95834, or from the Board's website at [www.optometry.ca.gov](http://www.optometry.ca.gov).

AVAILABILITY AND LOCATION OF  
THE FINAL STATEMENT OF REASONS  
AND RULEMAKING FILE

All information upon which the proposed regulation is based is contained in the rulemaking file, which is available for public inspection, by contacting the person named below.

You may obtain a copy of the final statement of reasons, once it has been prepared, by making a written request to the contact person named below or by accessing the website listed below.

CONTACT PERSON

Any inquiries or comments concerning the proposed rulemaking action may be addressed to:

Name: Andrea Leiva  
Policy Analyst  
Address: 2450 Del Paso Road, Suite 105  
Sacramento, CA 95834  
Telephone Number: (916) 575-7182  
Fax Number: (916) 575-7292  
E-mail Address: [andrea.leiva@dca.ca.gov](mailto:andrea.leiva@dca.ca.gov)

The backup contact person is:

Name: Mona Maggio  
Executive Officer  
Address: 2450 Del Paso Road, Suite 105  
Sacramento, CA 95834  
Telephone Number: (916) 575-7176  
Fax Number: (916) 575-7292  
E-mail Address: [mona.maggio@dca.ca.gov](mailto:mona.maggio@dca.ca.gov)

Board website access: Information regarding this proposal can be found at [www.optometry.ca.gov](http://www.optometry.ca.gov), click on "Laws and Regulations", then "Proposed Regulations".

TITLE 16. BUREAU OF AUTOMOTIVE  
REPAIR

NOTICE OF PROPOSED REGULATORY  
ACTION AND PUBLIC HEARING  
CONCERNING

AB 2289 Penalties

SPECIFICALLY

Citations and Administrative Fines; Authority to Issue Citations and Administrative Fines; Administrative Fine Amounts; Compliance with Citations/Orders of Abatement

**NOTICE IS HEREBY GIVEN** that the Department of Consumer Affairs/Bureau of Automotive Repair (Bureau or BAR) is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held at the following location on the following date:

NORTHERN CALIFORNIA

Monday, December 5, 2011 at 2:00 p.m.  
Department of Consumer Affairs  
Hearing Room  
1625 North Market Blvd  
Sacramento, California 95834

Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be **received by the Bureau at its office no later than 5:00 p.m. on Monday, December 5, 2011**, or must be received by the Bureau at the above referenced hearing. **Comments sent to persons or addresses other than those specified under Contact Person, or received after the date and time specified above, regardless of the manner of transmission, will be included in the record of this proposed regulatory action, but will not be summarized or responded to.** The Bureau, upon its own motion or at the request of any interested party, may thereafter formally adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit oral or written testimony related to this proposal or who have requested notification of any changes to the proposal.

## AUTHORITY AND REFERENCE

Pursuant to the authority vested by section 44050 of the Health and Safety Code (H&S) and section 9882 of the Business and Professions Code (B&P), to implement, interpret or make specific H&S section 44050, the Bureau is proposing to adopt Article 11.1 of Chapter 1, Division 33, Title 16, to the California Code of Regulations.

## INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

### INTRODUCTION:

BAR was established within the Department of Consumer Affairs in 1972 with the enactment of the Automotive Repair Act<sup>1</sup>. Senate Bill (SB) 51 (Beilenson, Chapter 1578, Statutes of 1971), mandated a statewide automotive repair consumer protection program. In furtherance of its mandate, BAR administers a statewide licensing and enforcement program.

### BACKGROUND:

Through its statewide offices, BAR conducts consumer protection services related to Title 16, Division 33, of the California Code of Regulations. BAR regulates Automotive Repair Dealers, Lamp and Brake stations and adjusters, and Smog Check stations and technicians. BAR receives and mediates complaints from the public, investigates violations of the Automotive Repair Act, Smog Check laws, and associated regulations. When appropriate, cases are referred to the Attorney General's office or law enforcement authorities for administrative action, civil and/or criminal prosecution.

Assembly Bill (AB) 2289 (Eng, Chapter 258, Statutes of 2010) provided BAR broad authority to issue fines ranging anywhere from \$100 up to \$5,000. Additionally, AB 2289 required BAR to include a penalty schedule in regulation to specify fine amounts for specific violations. In assessing a fine amount H&S section 44050 requires BAR to consider the following criteria:

1. The nature, gravity, severity, and seriousness of the violation.
2. The persistence of the violation.
3. The good faith or willfulness of the violator.
4. The history of previous violations by that violator, including the commission of numerous and repeated violations.
5. The failure to perform work for which money was received.
6. The making of any false or misleading statement in order to induce a person to authorize repair work or pay money.

7. The failure to make restitution to consumers affected by the violation.
8. The extent to which the violator has mitigated or attempted to mitigate any damage or injury caused by the violation.
9. The degree of incompetence or negligence in the performance of duties and responsibilities.
10. The purposes and goals of this chapter and other matters as may be appropriate.

To assist in the development of the proposed regulation BAR conducted two workshops to solicit public input. Recommendations to improve the regulation have been included in this proposal.

### EFFECT OF REGULATORY ACTION:

BAR is proposing to adopt the following regulations:

- I. **Article 11.1 Citations and Administrative Fines, Chapter 1, Division 33, Title 16, California Code of Regulations:** Article 11.1 will be created to contain regulations specific to citations and administrative fines for Smog Check violations.
- II. **Authority to Issue Citations and Administrative Fines:** This section provides BAR the ability to issue citations to a licensee or contractor for violations of H&S section 44000 et seq. and regulations adopted pursuant thereto. (§3394.25)
- III. **Administrative Fine Amounts:** BAR may issue citations and administrative fines to any licensee or contractor, who has violated H&S 44000 et seq. and regulations adopted pursuant thereto. Maximum fines for violations are listed in Table I, Administrative Fine Schedule. (§3394.26)
- IV. **Compliance with Citations/Orders of Abatement:** If the cited person who has been issued an order of abatement cannot complete the correction within the time set in the citation, due to uncontrollable factors and after reasonable diligence, the cited person may request an extension from BAR. The request for an extension must be in writing and within the time set in the citation. If the administrative fine is not paid, it will be added to the cited person's license or registration renewal fee. Licenses and registrations will not be renewed without the payment of the renewal fee and/or administrative fine(s). (§3394.27)

### FISCAL IMPACT ON PUBLIC AGENCIES INCLUDING COSTS OR SAVINGS TO STATE AGENCIES AND COSTS/SAVINGS IN FEDERAL FUNDING TO THE STATE

BAR anticipates collecting an additional \$2,065,000 in fines annually due to the implementation of this expanded fine authority. In addition, BAR projects that raising its maximum fine authority will result in an in-

<sup>1</sup> Business and Professions Code § 9880, et seq.

crease to the number of citation appeals; however, the increase in citation appeals heard by Office of Administrative Hearings (OAH) should be fully offset by the bill's addition of an informal appeals process within BAR. It is anticipated that the OAH appeal rate will remain constant and the proposed regulation will not result in any new costs to the state.

There are no costs/savings in federal funding to the state.

#### NONDISCRETIONARY COSTS/SAVINGS TO LOCAL AGENCIES

None.

#### LOCAL MANDATE

None.

#### COSTS TO ANY LOCAL AGENCY OR SCHOOL DISTRICT FOR WHICH GOVERNMENT CODE SECTIONS 17500–17630 REQUIRE REIMBURSEMENT

None.

#### BUSINESS IMPACT

BAR has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

Currently, BAR has the authority to fine Smog Check stations up to \$2,500 for violations of H&S section 44000 et seq. and regulations adopted pursuant thereto. Raising the maximum fine authority up to \$5,000 provides BAR flexibility in determining fine amounts. Especially egregious offenses may warrant a fine of \$5,000 while less severe violations would be substantially less. These regulations will strengthen BAR's ability to enforce its laws and regulations, provide consumers additional protection, and ensure the implementation of a model emissions reduction program.

#### IMPACT ON JOBS/NEW BUSINESSES

BAR has determined that this regulatory proposal will not have any impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

#### COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS

The proposed regulation will only affect businesses and persons that violate the Motor Vehicle Inspection Program.

The cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action and that are known to BAR are:

**Smog Check Stations:** During May 1, 2010 to April 30, 2011 the average Smog Check station fine amount was \$1,047. This proposed regulation raises the minimum and maximum fine amounts for the majority of station violations. BAR projects that the average fine will increase to approximately \$2,253.

**Smog Check Technicians:** Prior to AB 2289, BAR had authority to cite Smog Check technicians but could not assess any monetary fines. AB 2289 provides BAR the authority to assess administrative fines to technicians. BAR anticipates the average technician fine will be approximately \$1,596.

BAR anticipates the higher fine amounts may act as a deterrent for improper Smog Check inspections and repairs. As a result, the number of citations issued is expected to decrease over time.

#### EFFECT ON HOUSING COSTS

None.

#### EFFECT ON SMALL BUSINESS

BAR has determined that the proposed regulations would affect small businesses.

#### CONSIDERATION OF ALTERNATIVES

BAR must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would be either more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to the affected private persons than the proposal described in this notice.

Set forth below are the alternatives that were considered and the reasons why each alternative was rejected:

**Alternative 1:** Do not implement the provisions of the H&S section 44050. This option is at odds with BAR's mandate to provide consumer protection and administration of a model motor vehicle emissions reduction program. This option does not create any additional costs or provide any benefits.

**Alternative 2:** Adopt a penalty schedule with a maximum fine authority of \$2,500. Any fine amount has the ability to discourage improper inspections and repairs; however, higher fines serve as a more effective deterrent.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

INITIAL STATEMENT OF REASONS  
AND INFORMATION

BAR has prepared an initial statement of reasons for the proposed action and has available all the information upon which the proposal is based.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations, and any document incorporated by reference, and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the Bureau of Automotive Repair at 10240 Systems Parkway, Sacramento, California, 95827.

AVAILABILITY OF THE RULEMAKING  
FILE AND THE FINAL STATEMENT  
OF REASONS

All the information upon which the proposed regulations are based is contained in the rulemaking file that is available for public inspection by contacting the persons named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below or by accessing the Web site listed below.

CONTACT PERSON

Inquiries or comments concerning the proposed administrative action may be addressed to:

*Steven Hall  
Bureau of Automotive Repair  
10240 Systems Parkway  
Sacramento, CA 95827  
Telephone: (916) 255-2135  
Fax No.: (916) 255-1369  
E-mail: [steven.hall@dca.ca.gov](mailto:steven.hall@dca.ca.gov)*

The backup contact person is:

*Brenda Dodson  
Bureau of Automotive Repair  
10240 Systems Parkway  
Sacramento, CA 95827  
Telephone: (916) 255-3147  
Fax No.: (916) 255-3176  
E-mail: [brenda.dodson@dca.ca.gov](mailto:brenda.dodson@dca.ca.gov)*

WEB SITE ACCESS

Materials regarding this proposal can also be found on BAR's Web site at [www.smogcheck.ca.gov](http://www.smogcheck.ca.gov).

TITLE MPP. DEPARTMENT OF  
SOCIAL SERVICES

ORD#0711-05

NOTICE OF PROPOSED CHANGES  
IN REGULATIONS OF THE  
CALIFORNIA DEPARTMENT OF  
SOCIAL SERVICES (CDSS)

ITEM # 1 CalWORKs Stage One Child Care  
Eligibility

The CDSS hereby gives notice of the proposed regulatory action(s) described below. Any person interested may present statements or arguments orally or in writing relevant to the proposed regulations at a public hearing to be held December 14, 2011, as follows:

Office Building # 8  
744 P St. Room 103  
Sacramento, California

The public hearing will convene at 10:00 a.m. and will remain open only as long as attendees are presenting testimony. The purpose of the hearing is to receive public testimony, not to engage in debate or discussion. The Department will adjourn the hearing immediately following the completion of testimony presentations. The above-referenced facility is accessible to persons with disabilities. If you are in need of a language interpreter at the hearing (including sign language), please notify the Department at least two weeks prior to the hearing.

Statements or arguments relating to the proposals may also be submitted in writing, e-mail, or by facsimile to the address/number listed below. All comments must be received by 5:00 p.m. on December 14, 2011.

Following the public hearing CDSS may thereafter adopt the proposals substantially as described below or may modify the proposals if the modifications are sufficiently related to the original text. With the exception of nonsubstantive, technical, or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption to all persons who testify or submit written comments during the public comment period, and all persons who request notification. Please address requests for regulations as modified to the agency representative identified below.

Copies of the express terms of the proposed regulations and the Initial Statement of Reasons are available from the office listed below. This notice, the Initial Statement of Reasons and the text of the proposed regulations are available on the internet at <http://www.dss.cahwnet.gov/ord>. Additionally, all the information which the Department considered as the basis for these proposed regulations (i.e., rulemaking file) is available for public reading/perusal at the address listed below.



Following the public hearing, copies of the Final Statement of Reasons will be available from the office listed below.

### CONTACT

Office of Regulations Development  
California Department of Social Services  
744 P Street, M.S. 8-4-192  
Sacramento, California 95814

TELEPHONE: (916) 657-2586  
FACSIMILE: (916) 654-3286  
E-MAIL: ord@dss.ca.gov

### CHAPTERS

Manual of Policies and Procedures (MPP) Division 47, Chapters 47-200 and 47-400.

### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

These regulation changes are being proposed as the result of the Fiscal Year 2011-12 Budget Trailer Bill Senate Bill (SB) 70. SB 70 added language to the Education Code that limits income eligibility for subsidized child care to 70 percent of the State Median Income (SMI). SB 70 continues language eliminating the family fee for current California Work Opportunity and Responsibility to Kids (CalWORKs) recipients.

The Manual of Policies and Procedures (MPP) currently includes language that allows former CalWORKs families to remain eligible for subsidized child care services if their income does not exceed 75 percent of the SMI. The language does not align with statute that limits income eligibility to 70 percent of the SMI. The proposed regulations would amend the MPP resulting in fewer former CalWORKs families that meet the income eligibility limits.

Currently, the MPP does not contain language that prohibits current CalWORKs recipients from being charged a family fee. According to statute, no family receiving CalWORKs cash aid may be charged a family fee. The MPP is not consistent with statute. The proposed regulations would amend the MPP to ensure that current recipients of CalWORKs cash aid are not being charged a family fee.

### COST ESTIMATE

1. Costs or Savings to State Agencies: **No fiscal impact exists to the CDSS budget for**

**CalWORKs Stage One Child Care; however, it does affect other child care programs under the California Department of Education (CDE).**

2. Costs to Local Agencies or School Districts Which Must Be Reimbursed in Accordance With Government Code Sections 17500-17630: **None.**
3. Nondiscretionary Costs or Savings to Local Agencies: **None.**
4. Federal Funding to State Agencies: **No fiscal impact exists to the CDSS budget for CalWORKs Stage One Child Care; however, it does affect other child care programs under the California Department of Education (CDE).**

### LOCAL MANDATE STATEMENT

These regulations do not impose a mandate on local agencies or school districts. There are no state-mandated local costs in these regulations which require state reimbursement under Section 17500 et seq. of the Government Code.

### STATEMENT OF SIGNIFICANT ADVERSE ECONOMIC IMPACT ON BUSINESS

The CDSS has made an initial determination that the proposed action will not have a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

### STATEMENT OF POTENTIAL COST IMPACT ON PRIVATE PERSONS OR BUSINESSES

The CDSS is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

### SMALL BUSINESS IMPACT STATEMENT

The CDSS has made an initial determination that the proposed action will not affect small business because the proposed regulations do not create or eliminate child care provider business.

### ASSESSMENT OF JOB CREATION OR ELIMINATION

The adoption of the proposed amendments will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California.



**STATEMENT OF EFFECT ON HOUSING COSTS**

The proposed regulatory action will have no effect on housing costs.

**STATEMENT OF ALTERNATIVES CONSIDERED**

The CDSS must determine that no reasonable alternative considered or that has otherwise been identified and brought to the attention of CDSS would be more effective in carrying out the purpose for which the regulations are proposed or would be as effective as and less burdensome to affected private persons than the proposed action.

**AUTHORITY AND REFERENCE CITATIONS**

The CDSS adopts these regulations under the authority granted in Welfare and Institutions Code Sections 10553 and 10554. Subject regulations implement and make specific *Education Code Sections 8447(g) and 8263.1(a)*.

**THE CDSS REPRESENTATIVE  
REGARDING THE RULEMAKING PROCESS  
OF THE PROPOSED REGULATION**

Contact Person: Kenneth Jennings (916) 657-2586  
Backup: Zaid Dominguez (916) 657-2586

**GENERAL PUBLIC INTEREST**

**DEPARTMENT OF FISH AND GAME**

**Department of Fish and Game —  
Public Interest Notice**

For Publication October 21, 2011  
CESA CONSISTENCY DETERMINATION  
REQUEST FOR  
DWR State Water Project (SWP) Operations  
(2080-2011-022-00)  
Contra Costa County

The Department of Fish and Game (Department) received a notice on October 10, 2011 that the Department of Water Resources (DWR) proposes to rely on a consultation between federal agencies to carry out a project that may adversely affect a species protected by the California Endangered Species Act (CESA). The pro-

posed action involves the operation of the temporary barriers project in the South Delta and the 500 cubic feet per second (cfs) increase in SWP Delta export limit from July through September.

The U.S. Fish and Wildlife Service (Service) issued a “no jeopardy” federal biological opinion (File No. 81420-2008-F-1481-5)(BO) and incidental take statement (ITS) to the U.S. Army Corps of Engineers on December 15, 2008 which considered the effects of the project on the Federally and State threatened delta smelt (*Hypomesus transpacificus*).

Pursuant to California Fish and Game Code Section 2080.1, DWR is requesting a determination that the BO and ITS are consistent with CESA for purposes of the proposed Project. If the Department determines the BO and ITS are consistent with CESA for the proposed Project, DWR will not be required to obtain an incidental take permit under Fish and Game Code section 2081 for the Project.

**PROPOSITION 65**

**OFFICE OF ENVIRONMENTAL  
HEALTH HAZARD ASSESSMENT**

**EXTENSION OF PUBLIC COMMENT PERIOD**

**TITLE 27, CALIFORNIA CODE  
OF REGULATIONS**

**AMENDMENT TO SECTION 25707  
ROUTE OF EXPOSURE**

**October 21, 2011**

On September 16, 2011, OEHHA published a notice in the *California Regulatory Notice Register* proposing an amendment to Title 27, California Code of Regulations, Section 25707, to remove the reference to hexavalent chromium in Section 25707(b)(4) as posing no significant risk when ingested.

Publication of the notice initiated a 45-day public comment period that was scheduled to close on October 31, 2011. OEHHA has received a request from the American Chemistry Council and the California Manufacturers and Technology Association for an extension of the public comment period. **OEHHA hereby extends the public comment period on this proposed amendment to 5:00 p.m., Wednesday, November 30, 2011.**

Written comments, along with any supporting documentation, may be transmitted via email addressed to [Fran.Kammerer@oehha.ca.gov](mailto:Fran.Kammerer@oehha.ca.gov) or to:

Fran Kammerer  
Office of Environmental Health Hazard Assessment  
Street Address: 1001 I Street, 23<sup>rd</sup> Floor  
Sacramento, California 95814  
Mailing Address: P.O. Box 4010  
Sacramento, California 95812-4010  
Fax No.: (916) 323-2517  
Telephone: (916) 445-4693

**OFFICE OF ENVIRONMENTAL  
HEALTH HAZARD ASSESSMENT**

**EXTENSION OF PUBLIC COMMENT PERIOD**

**TITLE 27, CALIFORNIA CODE  
OF REGULATIONS**

**AMENDMENT TO SECTION 25705  
SPECIFIC REGULATORY LEVELS  
POSING NO SIGNIFICANT RISK  
4-METHYLMIDAZOLE**

**October 21, 2011**

On October 7, 2011, the Office of Environmental Health Hazard Assessment (OEHHA) provided a notice of a change made to the proposed regulation establishing a No Significant Risk Level (NSRL) for 4-methylimidazole (4-MEI) (Title 27, California Code of Regulations, section 25705), and augmentation of the record with additional scientific references. This proposed regulation was originally the subject of a Notice of Proposed Rulemaking published on January 7, 2011, in the California Regulatory Notice Register (Register 2011, No 1-Z), which initiated a public comment period that closed on February 21, 2011. A Notice Extending the Public Comment Period and Announcement of a Public Hearing was published in the California Regulatory Notice Register on February 18, 2011 (Register 2011, No. 7-Z), p. 228. A public hearing on this regulatory proposal was held on March 10, 2011. Written comments from the public were received during the comment period which ended March 24, 2011.

Publication of the notice on October 7, 2011, (Register 2011, No. 40-Z) initiated a 15-day public comment period that was scheduled to close on October 24, 2011. OEHHA received a request from the American Bever-

age Association and the International Technical Caramel Association for an extension of the comment period. **OEHHA hereby extends the public comment period on this proposed amendment to 5:00 p.m., Monday, November 7, 2011.** Comments should be addressed to:

Fran Kammerer  
Office of Environmental Health Hazard Assessment  
P. O. Box 4010  
1001 I Street  
Sacramento, California 95812-4010  
Fax No.: 916-324-1786  
E-mail: [fkammerer@oehha.ca.gov](mailto:fkammerer@oehha.ca.gov)

Inquiries concerning the action described in this notice may be directed to Fran Kammerer, in writing at the address given above, or by telephone at (916) 445-4693. Monet Vela is a back-up contact person and is available at (916) 323-2517.

**OFFICE OF ENVIRONMENTAL  
HEALTH HAZARD ASSESSMENT**

**EXTENSION OF PUBLIC COMMENT PERIOD  
AND ANNOUNCEMENT OF A  
PUBLIC HEARING**

**TITLE 27, CALIFORNIA CODE  
OF REGULATIONS**

**AMENDMENT TO SECTION 25705  
SPECIFIC REGULATORY LEVELS  
POSING NO SIGNIFICANT RISK  
IMAZALIL**

**OCTOBER 21, 2011**

On September 23, 2011, ([Register 2011, No. 38-Z](#)) OEHHA published a notice in the *California Regulatory Notice Register* proposing to establish a specific regulatory level posing no significant risk for Imazalil by amending Title 27, California Code of Regulations, section 25705.

Publication of the prior notice initiated a 45-day public comment period that was scheduled to close on November 7, 2011. OEHHA has received a request from an interested party, Environmental Voices, for a public hearing. **A public hearing is scheduled for October 27, 2011 at 10:00 a.m. in the Sierra Hearing Room located at 1001 I Street in Sacramento, CA. To allow time for the preparation of written public comments after the hearing, OEHHA hereby extends the public comment period on this proposed amendment to 5:00 p.m., Monday, November 21, 2011.**

Written comments, along with any supporting documentation, may be transmitted via email addressed to [mvela@oehha.ca.gov](mailto:mvela@oehha.ca.gov) or to:

Ms. Monet Vela  
Office of Environmental Health Hazard Assessment  
Street Address: 1001 I Street, 23<sup>rd</sup> Floor  
Sacramento, California 95812-4010  
Mailing Address: P.O. Box 4010  
Sacramento, California 95812-4010  
Fax No.: (916) 323-2517  
Telephone: (916) 323-2610

## **SUMMARY OF REGULATORY ACTIONS**

### **REGULATIONS FILED WITH SECRETARY OF STATE**

This Summary of Regulatory Actions lists regulations filed with the Secretary of State on the dates indicated. Copies of the regulations may be obtained by contacting the agency or from the Secretary of State, Archives, 1020 O Street, Sacramento, CA 95814, (916) 653-7715. Please have the agency name and the date filed (see below) when making a request.

File# 2011-0831-01  
BOARD OF EQUALIZATION  
Records

Sections 3020 and 3301 of title 18 contain the name of the state agency that is involved with the subject matter tax or fee that the Board collects on behalf of that state agency. Due to recent legislation, the names of these two agencies were changed as follows: Department of Health Services was changed to California Department of Public Health to govern this particular subject matter; and duties and responsibilities of the Integrated Waste Management Board were transferred to the new Department of Resources Recycling and Recovery. Sections 4500 through 4700, noninclusive, replaced the name "Excise Taxes Division" with "Special Taxes and Fees Division" to reflect a reorganization within the Board's Property and Special Taxes Department. These changes without regulatory effect reflect statutory changes and internal reorganization of the Board.

Title 18  
California Code of Regulations  
AMEND: 3020, 3301, 4500, 4504, 4507, 4508, 4509, 4600, 4609, 4700  
Filed 10/10/2011  
Agency Contact:  
Richard E. Bennion (916) 445-2130

File# 2011-0826-02  
BOARD OF FORESTRY AND FIRE PROTECTION  
Aspen, Meadow, and Wet Area Restoration, 2011

This regulatory action creates a new silvicultural "special prescription" that provides requirements for projects that harvest, remove or otherwise treat commercial conifer trees in aspen stands, meadows or wet areas for purposes of restoring habitat, ecological and range values. This will allow for a wider range of project designs.

Title 14  
California Code of Regulations  
AMEND: 913.4, 933.4, 953.4, 959.15  
REPEAL: 939.15  
Filed 10/05/2011  
Effective 01/01/2012  
Agency Contact: George Gentry (916) 653-8031

File# 2011-0830-08  
CALIFORNIA BLUEBERRY COMMISSION  
Conflict of Interest Code

This is a Conflict of Interest Code filing that has been approved by the Fair Political Practices Commission and is being submitted for filing with the Secretary of State and printing only.

Title 2  
California Code of Regulations  
AMEND: 59690  
Filed 10/12/2011  
Effective 11/11/2011  
Agency Contact:  
Ann M. Grottveit (916) 448-3826

File# 2011-0830-06  
COURT REPORTERS BOARD OF CALIFORNIA  
Schedule of Fees

The Court Reporters Board of California amended sections 2450 and 2451 of title 16 of the California Code of Regulations to make additions and revisions to the schedule of fees, including raising the initial and annual renewal certificate fee to \$125.

Title 16  
California Code of Regulations  
AMEND: 2450, 2451  
Filed 10/10/2011  
Effective 11/09/2011  
Agency Contact: Yvonne Fenner (916) 263-4081

File# 2011-0830-07  
DENTAL BOARD OF CALIFORNIA  
Dental Assisting Educational Programs and Courses

This rulemaking action by the Dental Board of California (Board) combines elements of various outdated regulations and expired statutes with revised lan-

guage to create new rules governing Board approval of educational programs and courses for training Registered Dental Assistants, Registered Dental Assistants with Extended Functions, Orthodontic Assistants, and Dental Sedation Assistants.

**Title 16**

California Code of Regulations

ADOPT: 1070.6, 1070.7, 1070.8 AMEND: 1070, 1070.1, 1070.2, 1071 REPEAL: 1071.1

Filed 10/12/2011

Effective 11/11/2011

Agency Contact: Sarah Wallace (916) 263-2187

File# 2011-0825-02

**DEPARTMENT OF CORRECTIONS AND REHABILITATION**

**Sexual Barrier Device Distribution Pilot Program**

This is a nonsubstantive action repealing the Sexual Barrier Device Distribution Pilot Program. Pursuant to Penal Code section 5058.1, pilot programs are in effect for 24 months. This program became operational in October 2008, expired in October 2010, and therefore needs to be removed from the CCR.

**Title 15**

California Code of Regulations

REPEAL: 3999.7

Filed 10/06/2011

Effective 10/06/2011

Agency Contact: Colleen Rice (916) 255-5500

File# 2011-1007-01

**DEPARTMENT OF FOOD AND AGRICULTURE  
Anastrepha Striata Eradication Area**

The Department of Food and Agriculture submitted this emergency action to adopt title 3, California Code of Regulations, section 3591.25, which will establish San Diego County as an eradication area for the New World guava fruit fly, *Anastrepha striata*, list 48 host plants and include as hosts any soil or planting media within the drip area of plants that produce host fruit, and establish the means and methods that may be used for eradication of the insect. The adoption of this regulation will provide authority for the state to perform specific detection, delimitation, control, and eradication activities against the New World guava fruit fly in San Diego County.

**Title 3**

California Code of Regulations

ADOPT: 3591.25

Filed 10/10/2011

Effective 10/10/2011

Agency Contact:

Stephen S. Brown

(916) 654-1017

File# 2011-0830-02

**DEPARTMENT OF FOOD AND AGRICULTURE  
Oriental Fruit Fly Interior Quarantine**

This action removes approximately 89 square miles in the Pasadena and San Marino areas of Los Angeles County from the Oriental fruit fly quarantine area.

**Title 3**

California Code of Regulations

AMEND: 3423(b)

Filed 10/10/2011

Effective 11/09/2011

Agency Contact:

Stephen S. Brown

(916) 654-1017

File# 2011-1006-01

**DEPARTMENT OF FOOD AND AGRICULTURE  
Seed Assessment Fee**

The Department of Food and Agriculture amended the annual seed assessment fee in title 3, California Code of Regulations, section 3906 from \$0.28 to \$0.25 per one hundred dollars gross annual dollar volume sales of seed for the preceding fiscal year.

**Title 3**

California Code of Regulations

AMEND: 3906

Filed 10/12/2011

Effective 11/11/2011

Agency Contact: Lindsay Rains

(916) 654-1017

File# 2011-0927-01

**DEPARTMENT OF JUSTICE**

**To Implement Regulations Needed by the Enactment of AB2496**

The Department of Justice (Department) submitted this emergency readoption action to continue the emergency regulations adopted in OAL File No. 2011-0330-02E. The emergency regulations were adopted to enhance title 11 procedures and requirements that govern the sale and distribution of cigarettes and roll-your-own tobacco products. The existing regulations were adopted to assure compliance with state financial responsibility laws pertaining to tobacco product manufacturers. Revenue and Taxation Code section 30165.1 requires that all tobacco product manufacturers and brand families be listed on a directory maintained by the Department on its web site in order



to conduct business in California. The emergency action implemented recent enhancements to the Department's authority and jurisdiction over tobacco manufacturers and importers enacted in AB 2496 (Stats. 2010, ch. 265). The emergency regulations provide additional requirements, documentation, and forms that are required under AB 2496 for tobacco manufacturers to demonstrate compliance with the laws governing the sale and distribution of the specified tobacco-related products and to maintain listing on the Department's website.

**Title 11**

California Code of Regulations

ADOPT: 999.24, 999.25, 999.26, 999.27, 999.28, 999.29 AMEND: 999.10, 999.11, 999.14, 999.16, 999.17, 999.19, 999.20, 999.21, 999.22

Filed 10/07/2011

Effective 10/07/2011

Agency Contact:

Ashley Johansson (916) 324-5460

File# 2011-0908-02

**DEPARTMENT OF JUSTICE****Contractors State License Board bond form**

The Department of Justice, for the Contractors State License Board, is amending section 30.14, title 11, California Code of Regulations (Blanket Performance and Payment Bond).

**Title 11**

California Code of Regulations

AMEND: 30.14

Filed 10/06/2011

Effective 10/06/2011

Agency Contact: Karen W. Yiu (415) 703-5385

File# 2011-0908-03

**DEPARTMENT OF JUSTICE****Contractors State License Board bond form**

The Department of Justice, for the Contractors State License Board, is adopting section 30.16, title 11, California Code of Regulations (LLC Employee/Worker Bond).

**Title 11**

California Code of Regulations

ADOPT: 30.16

Filed 10/06/2011

Effective 10/06/2011

Agency Contact: Karen W. Yiu (415) 703-5385

File# 2011-0830-04

**DEPARTMENT OF MOTOR VEHICLES****Schools for Traffic Violators — Operator Training**

This action is the resubmission of proposed standards for educational programs offered to qualify an operator of a traffic violator school for licensing pursuant to Vehicle Code section 11202.5, subdivision (a).

**Title 13**

California Code of Regulations

ADOPT: 345.03, 345.75, 345.76, 345.77

Filed 10/07/2011

Effective 09/01/2011

Agency Contact: Randi Calkins (916) 657-8898

File# 2011-0922-01

**OFFICE OF ENVIRONMENTAL HEALTH****HAZARD ASSESSMENT****Proposition 65 — Quantitative Risk Assessment**

The Office of Environmental Health Hazard Assessment submitted this action to amend Title 27, California Code of Regulations, section 25703(a)(6). The amendment modifies the calculation used to convert estimates of animal cancer potency to estimates of human cancer potency, which is used to calculate no significant risk levels for carcinogens listed under Proposition 65. The amendment changes the existing regulatory provision to a ratio of human to animal bodyweight to one-fourth power for interspecies conversion and deletes the provision giving specific scaling factors for mice and rat data.

**Title 27**

California Code of Regulations

AMEND: 25703(a)(6)

Filed 10/12/2011

Effective 11/11/2011

Agency Contact: Monet Vela (916) 323-2517

File# 2011-0826-01

**PHYSICIAN ASSISTANT COMMITTEE****Enforcement Program Enhancements**

This regulatory action revises two sections and adopts three sections in Title 16 of the California Code of Regulations.

This rulemaking is designed to enhance the Physician Assistant Committee's mandate of consumer protection by allowing the Executive Officer or designee to accept default decisions and to approve settlement agreements for surrender or interim suspension of a license. This rulemaking also authorizes the Commission to order an applicant to submit to a physical or mental examination if there is a reasonable belief that the applicant may be unable to safely perform the duties and functions of a physician assistant. This rulemaking additionally mandates that anyone (with a few minor exceptions) required to register as a sex offender pursuant to Penal Code section 290 shall have their license revoked. This rulemaking also defines "unprofessional conduct" to



include the failure to report an indictment charging a felony, arrest or conviction of a licensee. "Unprofessional conduct" would also entail the inclusion of provisions in civil dispute settlement agreements prohibiting a person from contacting, cooperating with, filing, or withdrawing a complaint with the Committee. Finally, this rulemaking establishes that it is "unprofessional conduct" to fail to provide lawfully requested documents or to cooperate with an investigation.

**Title 16**

California Code of Regulations

ADOPT: 1399.507.5, 1399.523.5, 1399.527.5

AMEND: 1399.503, 1399.523

Filed 10/06/2011

Effective 11/05/2011

Agency Contact:

Glenn L. Mitchell (916) 561-8783

File# 2011-0824-01

**VICTIM COMPENSATION AND GOVERNMENT CLAIMS BOARD**

Rule 649.21 Verification of Attorney's Fees regulation

This is the adoption of a regulation that specifies the details required in a bill presented to the Board for payment of legal services rendered on behalf of an applicant for victim compensation and related pertinent information.

**Title 2**

California Code of Regulations

ADOPT: 649.21

Filed 10/05/2011

Effective 11/04/2011

Agency Contact:

Geoff Feusahrens (916) 491-3863

**CCR CHANGES FILED  
WITH THE SECRETARY OF STATE  
WITHIN May 18, 2011 TO  
October 12, 2011**

All regulatory actions filed by OAL during this period are listed below by California Code of Regulations titles, then by date filed with the Secretary of State, with the Manual of Policies and Procedures changes adopted by the Department of Social Services listed last. For further information on a particular file, contact the person listed in the Summary of Regulatory Actions section of the Notice Register published on the first Friday more than nine days after the date filed.

**Title 2**

10/12/11 AMEND: 59690

10/05/11 ADOPT: 649.21

09/27/11 ADOPT: 599.506(f) AMEND: 599.502(f)

09/21/11 AMEND: 1859.90.2

09/08/11 AMEND: 1859.2, 1859.82

09/07/11 ADOPT: 10000, 10001, 10002, 10003, 10004, 10005, 10006, 10007, 10008, 10009, 10010, 10011, 10012, 10013, 10014, 10015, 10016, 10017, 10018, 10019, 10020, 10021, 10022, 10023, 10024, 10025, 10026, 10027, 10028, 10029, 10030, 10031, 10032, 10033, 10034, 10035, 10036, 10037, 10038, 10039, 10040, 10041, 10042, 10043, 10044, 10045, 10046, 10047, 10048, 10049, 10050, 10051, 10052, 10053, 10054, 10055, 10056, 10057, 10058, 10059, 10060, 10061, 10062, 10063, 10064, 10065, 10066

09/06/11 AMEND: 29000

09/01/11 ADOPT: 58600 REPEAL: 58600

09/01/11 AMEND: 54200

09/01/11 AMEND: 54600

08/08/11 ADOPT: 59700

07/27/11 AMEND: 1859.90.2, 1859.81

07/15/11 AMEND: 1151, 1153, 1155.500, 1165, 1170, 1172.20

07/11/11 ADOPT: 21903.5 AMEND: 21903

07/11/11 ADOPT: 570.5 AMEND: 571(b)

07/06/11 AMEND: 1859.2, 1859.81, 1859.148.2, 1859.166.2

07/06/11 AMEND: 18360

07/05/11 AMEND: 649.3, 649.18, 649.20, 649.24

06/30/11 AMEND: 633.9

06/21/11 REPEAL: 59152

06/07/11 AMEND: 640

**Title 3**

10/12/11 AMEND: 3906

10/10/11 ADOPT: 3591.25

10/10/11 AMEND: 3423(b)

09/29/11 AMEND: 3434(b)(8)

09/28/11 AMEND: 3425(b)

09/19/11 AMEND: 3423(b)

09/15/11 AMEND: 3591.2(a)

09/07/11 AMEND: 3591.2(a)

08/23/11 ADOPT: 6131 AMEND: 6128, 6130

08/23/11 ADOPT: 1392.4.1 AMEND: 1392, 1392.1, 1392.2, 1392.4, 1392.6, 1392.8.1, 1392.9, 1392.11

08/03/11 AMEND: 3437(b)

07/28/11 REPEAL: 1400.9.1

07/15/11 AMEND: 3434(b)

07/15/11 AMEND: 3589

07/15/11	REPEAL: 3286		5433, 5434, 5435, 5440, 5450, 5460,
07/08/11	AMEND: 3658		5461, 5470, 5480, 5490, 5491, 5492,
07/05/11	ADOPT: 3701, 3701.1, 3701.2, 3701.3, 3701.4, 3701.5, 3701.6, 3701.7, 3701.8 AMEND: 3407		5493, 5494, 5500, 5510, 5520, 5530, 5531, 5532, 5533, 5534, 5540, 5550, 5560, 5570, 5571, 5572, 5573, 5580, 5590
06/28/11	AMEND: 3591.15(a)		
06/27/11	AMEND: 3437(b)	06/24/11	ADOPT: 10030, 10031, 10032, 10033, 10034, 10035, 10036
06/22/11	AMEND: 3435(b)		
06/15/11	AMEND: 3437(b)	06/21/11	AMEND: 1876
05/31/11	AMEND: 3437(b)	06/15/11	ADOPT: 340 AMEND: 221, 222, 226, 230, 288, 300 REPEAL: 262
<b>Title 4</b>		05/31/11	AMEND: 8078.2
10/04/11	AMEND: 1658	<b>Title 5</b>	
09/30/11	AMEND: 12100, 12101, 12200.3, 12200.5, 12200.6, 12200.9, 12200.10B, 12200.14, 12202, 12205.1, 12218, 12218.7, 12218.8, 12220.3, 12220.5, 12220.6, 12220.14, 12222, 12225.1, 12233, 12235, 12238, 12300, 12301.1, 12309, 12350, 12354, 12358, 12359, 12362, 12400, 12404, 12463, 12464	09/22/11	ADOPT: 80069.2 AMEND: 80070
09/28/11	ADOPT: 8035.5	09/19/11	ADOPT: 30001.5
09/20/11	AMEND: 12590	09/19/11	ADOPT: 74112, 75020, 75030, 75040, 75050, 75150, 75200, 75210 AMEND: 74110
09/07/11	ADOPT: 1500.1 AMEND: 1498	08/15/11	ADOPT: 19817.2, 19817.5, 19840, 19846.1 AMEND: 19815, 19816, 19816.1, 19817.1, 19846
08/16/11	ADOPT: 8078.2 AMEND: 8070, 8072, 8073, 8074	08/15/11	ADOPT: 40050.2
08/10/11	ADOPT: 10030, 10031, 10032, 10033, 10034, 10035, 10036, 10037	08/15/11	ADOPT: 40050.3
07/27/11	AMEND: 5064	08/15/11	AMEND: 40100.1
07/21/11	ADOPT: 1844.1	08/15/11	AMEND: 40404
07/20/11	AMEND: 4800, 4801, 4802	08/15/11	AMEND: 40405.1
07/20/11	AMEND: 150	08/15/11	ADOPT: 40509
07/12/11	AMEND: 1606, 1974, 1954.1, 1957, 1959, 1976, 1976.8, 1976.9, 1977, 1978, 1979, 1979.1	08/15/11	ADOPT: 40513
07/01/11	ADOPT: 5000, 5010, 5020, 5021, 5030, 5031, 5032, 5033, 5034, 5035, 5036, 5037, 5038, 5039, 5050, 5051, 5052, 5053, 5054, 5060, 5061, 5062, 5063, 5064, 5065, 5066, 5080, 5081, 5082, 5100, 5101, 5102, 5103, 5104, 5105, 5106, 5107, 5120, 5130, 5131, 5132, 5133, 5140, 5141, 5142, 5143, 5144, 5150, 5151, 5152, 5153, 5154, 5170, 5180, 5181, 5182, 5183, 5190, 5191, 5192, 5193, 5194, 5200, 5210, 5211, 5212, 5220, 5221, 5230, 5231, 5232, 5240, 5241, 5250, 5251, 5260, 5265, 5266, 5267, 5268, 5269, 5270, 5275, 5280, 5281, 5282, 5283, 5290, 5291, 5300, 5310, 5311, 5312, 5313, 5314, 5315, 5320, 5321, 5330, 5340, 5350, 5360, 5361, 5362, 5363, 5369, 5370, 5371, 5380, 5400, 5410, 5411, 5420, 5421, 5422, 5423, 5430, 5431, 5432,	08/15/11	ADOPT: 40514
		08/15/11	ADOPT: 40515
		08/15/11	ADOPT: 40516
		08/15/11	ADOPT: 41021
		08/15/11	ADOPT: 41022
		08/04/11	ADOPT: 1039.1
		08/04/11	AMEND: 80047, 80047.1, 80047.2, 80047.3, 80047.4, 80047.5, 80047.6, 80047.7, 80047.8, 80047.9, 80048.6
		06/21/11	AMEND: 58771
		06/20/11	ADOPT: 80048.9, 80048.9.4 AMEND: 80046.1, 80048.5, 80070.1, 80070.2, 80070.3, 80070.4, 80070.5, 80070.6 REPEAL: 80046, 80070.7, 80070.8
		05/23/11	ADOPT: 13075.3, 13075.6, 13075.7, 13075.8, 13075.9 AMEND: 13075.1, 13075.2, 13075.4 (renumbered from 13075.3), 13075.5 (renumbered from 13075.4)
		<b>Title 7</b>	
		08/16/11	AMEND: 218
		<b>Title 8</b>	
		09/19/11	AMEND: 15201, 15214, 15251, 15300, 15400.2, 15405, 15430.1, 15478, 15481, 15484

09/06/11	AMEND: 8608	05/23/11	AMEND: 2698.99
08/29/11	AMEND: 1504, 3207	<b>Title 11</b>	
08/10/11	ADOPT: 3302 AMEND: 3308	10/07/11	ADOPT: 999.24, 999.25, 999.26, 999.27, 999.28, 999.29 AMEND: 999.10, 999.11, 999.14, 999.16, 999.17, 999.19, 999.20, 999.21, 999.22
08/05/11	ADOPT: 1603.1 AMEND: 1504, 1600, 1602, 1603	10/06/11	AMEND: 30.14
08/01/11	AMEND: 16423 REPEAL: 16450, 16451, 16452, 16453, 16454, 16455, 16460, 16461, 16462, 16463, 16464	10/06/11	ADOPT: 30.16
07/28/11	ADOPT: 6799.1 AMEND: 6755	09/28/11	AMEND: 1081
07/07/11	ADOPT: 1610 (section heading), 1610.1, 1610.2, 1610.3, 1610.4, 1610.5, 1610.6, 1610.7, 1610.8, 1610.9, 1611 (section heading), 1611.1, 1611.2, 1611.3, 1611.4, 1611.5, 1612 (section heading), 1612.1, 1612.2, 1612.3, 1612.4, 1613 (section heading), 1613.1, 1613.2, 1613.3, 1613.4, 1613.5, 1613.6, 1613.7, 1613.8, 1613.9, 1613.10, 1614, 1615 (section heading), 1615.1, 1615.2, 1616 (section heading), 1616.1, 1616.2, 1616.3, 1616.4, 1616.5, 1616.6, 1616.7, 1617 (section heading), 1617.1, 1617.2, 1617.3, 1618 (section heading), 1618.1, 1618.2, 1618.3, 1618.4, 1619 (section heading), 1619.1, 1619.2, 1619.3, 1619.4, 1619.5	09/28/11	AMEND: 1005
	AMEND: 1694, 2940.7, 6060	09/02/11	ADOPT: 101.2
06/27/11	REPEAL: 10119, 10120	09/02/11	AMEND: 101.1
06/20/11	AMEND: 10250.1	06/06/11	AMEND: 51.7
06/02/11	AMEND: 5154(j)(1)	06/01/11	AMEND: Article 20, section 51.2
05/31/11	AMEND: 5155	05/31/11	AMEND: Article 20, section 51.25
05/20/11	AMEND: 341.13, 341.14, 341.16, 341.17	05/25/11	ADOPT: Article 20, section 51.27
<b>Title 9</b>		05/24/11	AMEND: Article 20, section 51.15
10/04/11	ADOPT: 7016.1, 7019.6, 7025.7, 7028.7, 7179.7 AMEND: 7098, 7179.1, 7181.1	05/24/11	AMEND: Article 20, section 51.24
08/08/11	ADOPT: 4500, 4510, 4520	<b>Title 13</b>	
<b>Title 10</b>		10/07/11	ADOPT: 345.03, 345.75, 345.76, 345.77
09/26/11	ADOPT: 2785	09/15/11	AMEND: 2190
09/26/11	ADOPT: 2830	08/23/11	ADOPT: 345.00 AMEND: 345.02, 345.04, 345.15, 345.18, 345.20, 345.22, 345.23, 345.26
09/26/11	ADOPT: 2725.5, 2960, 2961, 2962, 2963 AMEND: 2930	08/16/11	AMEND: 1800
09/22/11	AMEND: 2318.6, 2353.1	07/06/11	ADOPT: 1231.2 AMEND: 1200, 1201, 1217, 1221, 1222, 1232
09/22/11	AMEND: 2318.6, 2353.1, 2354	07/01/11	AMEND: 156.00, 156.01
08/11/11	AMEND: 2731	<b>Title 13, 17</b>	
08/01/11	AMEND: 3012.3	06/20/11	AMEND: Title 13: 2299.5 and Title 17: 93118.5
07/27/11	AMEND: 2770.1, 2847.3	<b>Title 14</b>	
07/25/11	AMEND: 2222.12	10/05/11	AMEND: 913.4, 933.4, 953.4, 959.15 REPEAL: 939.15
07/13/11	AMEND: 210, 221	10/05/11	AMEND: 913.4, 933.4, 953.4, 959.15 REPEAL: 939.15
07/08/11	AMEND: 2699.6707	10/04/11	AMEND: 29.15
07/07/11	AMEND: 260.204.9	09/28/11	AMEND: 11900
06/30/11	AMEND: 2699.6700, 2699.6709, 2699.6721, 2699.6725	09/22/11	AMEND: 565, 565.4, 566, 566.1, 569, 570, 571, 572, 573, 576, 583, 593, 598.60, 599
05/31/11	REPEAL: 2274.74, 2274.77	09/22/11	AMEND: 7.50(b)(1.5), 27.65, 29.80
		09/16/11	AMEND: 11900, 11970
		09/08/11	AMEND: 300, 311
		08/30/11	ADOPT: 3550.16
		08/29/11	AMEND: 502
		08/08/11	ADOPT: 1052.5 AMEND: 895, 916.9, 936.6, 956.9, 1052, 1052.1, 1052.2
		08/03/11	ADOPT: 1051.3, 1051.4, 1051.5, 1051.6, 1051.7 AMEND: 895
		07/22/11	AMEND: 852.60.2, 852.60.3, 852.60.4, 852.61.1, 852.61.2, 852.61.3, 852.61.5, 852.61.6, 852.61.7, 852.61.8, 852.61.9,

	852.61.10, 852.61.11, 852.61.12, 852.62.1, 852.62.2, 852.62.3	<b>Title 16</b>	
07/14/11	AMEND: 791, 791.7, 792, 793, 794, 795, 796 REPEAL: 791.5	10/12/11	ADOPT: 1070.6, 1070.7, 1070.8 AMEND: 1070, 1070.1, 1070.2, 1071 REPEAL: 1071.1
07/12/11	ADOPT: 749.6	10/10/11	AMEND: 2450, 2451
07/08/11	ADOPT: 708.1, 708.2, 708.3, 708.4, 708.5, 708.6, 708.7, 708.8, 708.9, 708.10, 708.11, 708.12, 708.13, 708.14, 708.15, 708.16, 708.17 AMEND: 360, 361, 362, 363, 364, 365, 366, 353, 354, 478.1, 702, 711 REPEAL: 708	10/06/11	ADOPT: 1399.507.5, 1399.523.5, 1399.527.5 AMEND: 1399.503, 1399.523
06/21/11	AMEND: 7.50	10/04/11	AMEND: 972
06/16/11	AMEND: 7.00, 7.50	09/29/11	AMEND: 1398.26.1
06/13/11	AMEND: 632	09/27/11	ADOPT: 3394.40, 3394.41, 3394.42, 3394.43, 3394.44, 3394.45, 3394.46
06/09/11	AMEND: 27.20, 27.25, 27.30, 27.32 (renumbered to 27.35), 27.35 (renumbered to 27.40), 27.45, 27.50, 27.65, 28.26, 28.27, 28.28, 28.29, 28.48, 28.49, 28.54, 28.55, 28.56, 28.58, 28.65, 52.10, 150.16 REPEAL: 27.40, 28.51, 28.52, 28.53, 28.57	09/22/11	AMEND: 1202, 1203, 1204, 1205, 1208, 1208.1, 1210, 1211, 1213, 1214, 1221, 1223, 1223.1, 1225, 1229, 1230, 1234, 1240, 1241, 1243, 1244, 1245, 1246, 1253, 1253.5, 1253.6, 1254, 1256, 1258.3, 1267, 1268, 1269, 1271 REPEAL: 1280, 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1288, 1289, 1290, 1291
05/19/11	AMEND: 632	09/22/11	AMEND: 109, 121
<b>Title 15</b>		09/19/11	AMEND: 1715, 1735.2, 1751, 1784
10/06/11	REPEAL: 3999.7	09/13/11	AMEND: 3830
09/27/11	ADOPT: 3078, 3078.1, 3078.2, 3078.3, 3078.4, 3078.5, 3078.6 AMEND: 3000, 3043, 3075.2, 3097, 3195, 3320, 3323	09/07/11	ADOPT: 319.1
08/16/11	ADOPT: 3769, 3769.1, 3769.2, 3769.3, 3769.4, 3769.5, 3769.6	09/01/11	AMEND: 1793.5
08/03/11	AMEND: 3000	08/31/11	AMEND: 2411, 2414
07/28/11	ADOPT: 3084.8, 3084.9, 3086 AMEND: 3000, 3084, 3084.1, 3084.2, 3084.3, 3084.4, 3084.5, 3084.6, 3084.7, 3137, 3173.1, 3179, 3193, 3220.4, 3482, 3630, 3723 REPEAL: 3085	08/24/11	AMEND: 1399.157, 1399.160.3, 1399.160.6
07/19/11	AMEND: 3090, 3176.4, 3315, 3323	08/18/11	ADOPT: 1315.50, 1315.53, 1315.55
07/07/11	ADOPT: 3076.4, 3076.5 AMEND: 3076, 3076.1, 3076.2, 3076.3	08/18/11	AMEND: 995
06/27/11	AMEND: 3140	08/17/11	AMEND: 974
06/20/11	ADOPT: 8007, 8008 AMEND: 8000	08/03/11	AMEND: 999
06/15/11	ADOPT: 3571, 3582, 3590, 3590.1, 3590.2, 3590.3 AMEND: 3000	08/01/11	AMEND: 1327
06/15/11	ADOPT: 3571, 3582, 3590, 3590.1, 3590.2, 3590.3 AMEND: 3000	07/21/11	AMEND: 1005
06/14/11	AMEND: 3000, 3045.3, 3123, 3134, 3250.4, 3269.1, 3274, 3383, 3482	07/20/11	ADOPT: 4145 AMEND: 4141
06/02/11	AMEND: 3378	07/12/11	ADOPT: 1399.547
05/26/11	ADOPT: 1747.1, 1749.1, 1750.1 AMEND: 1706, 1747, 1748, 1749, 1750, 1752, 1756, 1757, 1767	07/01/11	AMEND: 2070, 2071
05/26/11	AMEND: 3025, 3291, 3296, 3300, 3301, 3383, 3397 REPEAL: 3302	06/14/11	AMEND: 1398.44, 1399, 1399.85
		06/06/11	AMEND: 4144 now 4147
		05/24/11	ADOPT: 1810.1, 1810.2, 1816.8, 1820, 1820.5, 1821, 1822 AMEND: 1800, 1802, 1803, 1804, 1805, 1805.1, 1806, 1807, 1807.2, 1810, 1811, 1812, 1813, 1814, 1815, 1816, 1816.1, 1816.2, 1816.3, 1816.4, 1816.5, 1816.6, 1816.7, 1819.1, 1832, 1833.1, 1833.2, 1850.6, 1850.7, 1870, 1870.1, 1874, 1877, 1880, 1881, 1886, 1886.10, 1886.20, 1886.30, 1886.40, 1886.50, 1886.60, 1886.70, 1886.80, 1887, 1887.1, 1887.2, 1887.3, 1887.4, 1887.5, 1887.6, 1887.7, 1887.8,

	1887.9, 1887.10, 1887.11, 1887.12, 1887.13, 1887.14, 1888	07/19/11	ADOPT: 64430
05/18/11	AMEND: 124	06/29/11	AMEND: 51008.5
05/18/11	AMEND: 1536	06/23/11	ADOPT: 70058, 71054, 72094, 73092, 74650, 76138, 76831.1, 78094.1, 79063, 79570 AMEND: 70707, 70715, 71507, 71515, 72521, 72527, 73519, 73523, 74717, 74743, 76521, 76525, 76555, 76916, 76918, 78437, 79313, 79799
<b>Title 17</b>			
09/27/11	AMEND: 2505	<b>Title 22/MPP</b> 09/29/11 AMEND: 86500, 86501	
09/23/11	AMEND: 6540		
09/21/11	AMEND: 56034		
09/19/11	AMEND: 54342, 57332		
09/08/11	AMEND: 60201		
08/29/11	ADOPT: 58883, 58884, 58886, 58887, 58888 AMEND: 50604, 54355, 58543		
06/30/11	AMEND: 2500, 2502, 2505		
06/30/11	AMEND: 6020, 6035, 6051, 6065, 6070, 6075		
06/17/11	ADOPT: 95356		
06/16/11	ADOPT: 95600, 95601, 95602, 95603, 95604, 95605, 95606, 95607, 95608, 95609, 95610, 95611, 95612		
06/08/11	ADOPT: 30108.1, 30226 AMEND: 30108, 30115, 30125, 30145, 30190, 30191, 30192, 30192.1, 30192.2, 30192.3, 30192.4, 30192.5, 30192.6, 30225, 30257 REPEAL: 30236	<b>Title 23</b>	
05/19/11	AMEND: 93115.3, 93115.4, 93115.6, 93115.7, 93115.8, 93115.9, 93115.10, 93115.13	09/15/11	ADOPT: 3945.2
<b>Title 18</b>			
10/10/11	AMEND: 3020, 3301, 4500, 4504, 4507, 4508, 4509, 4600, 4609, 4700	09/08/11	ADOPT: 3929.7
09/26/11	AMEND: 19591	07/27/11	AMEND: 3939.19
09/26/11	AMEND: 1533.2, 1598	07/14/11	ADOPT: 3919.10
09/22/11	ADOPT: 25128.5	07/08/11	ADOPT: 596, 596.1, 596.2, 596.3, 596.4, 596.5
08/16/11	ADOPT: 1685.5	07/05/11	ADOPT: 597, 597.1, 597.2, 597.3, 597.4
07/20/11	AMEND: 25106.5–11	06/21/11	ADOPT: 3959.4
07/08/11	ADOPT: 2558.1	06/08/11	ADOPT: 3929.6
06/22/11	AMEND: 1507	06/08/11	AMEND: 3006
<b>Title 19</b>			
06/30/11	AMEND: 1160.10	05/31/11	ADOPT: 3939.39
06/21/11	AMEND: 200, 201, 202, 204, 208, 209, 212	<b>Title 25</b>	
<b>Title 22</b>			
09/29/11	AMEND: 72516, 73518	09/19/11	ADOPT: 4356.1, 4516.1, 4516.3, 4516.7, 4516.9, 4517.1, 4517.2, 4517.4, 4517.6, 4519.1, 4520, 4520.1, 4520.2, 4521, 4522.1, 4522.2, 4522.3, 4522.4, 4522.5, 4522.6, 4522.7, 4522.8, 4523, 4523.1, 4523.2, 4523.3, 4526 AMEND: 4000, 4004, 4005, 4010.5, 4019, 4350, 4353, 4356, 4358, 4358.3, 4363, 4365, 4368, 4369.5, 4380, 4381, 4383, 4387, 4389, 4391, 4394, 4396, 4397, 4402, 4404, 4414, 4415, 4473, 4495, 4514, 4515, 4516, 4516.5, 4517, 4517.3, 4517.5, 4518, 4519, 4522, 4525, 4527, 4528, 4529, 4530, 4531, 4532, 4533, 4534, 4876 REPEAL: 4354, 4357, 4357.5, 4359, 4360, 4360.2, 4360.4, 4360.6, 4360.7, 4360.8, 4361, 4361.3, 4362.5, 4363.3, 4363.4, 4363.6, 4364, 4369, 4370, 4371, 4372, 4374, 4376, 4379, 4384, 4385, 4407, 4409, 4420, 4421, 4422, 4423, 4424, 4425, 4426, 4428, 4429, 4430, 4431, 4434, 4435, 4436, 4437, 4438, 4439, 4440, 4441, 4442, 4443, 4444, 4445, 4446, 4450, 4451, 4452, 4453, 4455, 4456, 4457, 4458, 4459, 4460, 4461, 4463, 4464, 4465, 4468, 4469, 4470, 4471, 4474, 4475, 4475.2, 4475.5, 4475.7, 4476, 4476.5, 4477, 4478, 4479, 4480, 4481, 4482, 4483, 4484, 4485, 4486, 4492, 4493,
09/22/11	ADOPT: 64419, 64420, 64420.1, 64420.2, 64420.3, 64420.4, 64420.5, 64420.6, 64420.7 AMEND: 64418, 64418.1, 64418.2, 64418.7		
09/16/11	ADOPT: 2706–8 AMEND: 2706–1, 2706–2		
09/13/11	AMEND: 50605		
08/23/11	AMEND: 97212, 97213, 97228, 97229, 97232, 97240, 97241, 97246, 97248		
07/21/11	AMEND: 50035.5, 50145, 50179.5, 50183, 53845 REPEAL: 50245		



	4494, 4496, 4497, 4498, 4498.5, 4500,	09/08/11	AMEND: 27000
	4501.7, 4505, 4506, 4517.7, 4535, 4536	06/29/11	AMEND: 25805
08/02/11	AMEND: 6932	<b>Title MPP</b>	
<b>Title 27</b>		07/28/11	AMEND: 63-402.226
10/12/11	AMEND: 25703(a)(6)	06/02/11	AMEND: 31-002, 31-075, 31-206,
09/26/11	AMEND: 25805		31-320, 31-505, 31-510